



**COUNTY OF SAN LUIS OBISPO
DEPARTMENT OF PLANNING AND BUILDING
STAFF REPORT**

PLANNING DEPARTMENT HEARING

*Promoting the wise use of land
Helping build great communities*

MEETING DATE July 21, 2006	CONTACT/PHONE Holly Phipps / 781 -1162	APPLICANT Greg Filipponi	FILE NO. COAL 05-0268 SUB2005-00158
SUBJECT A request Greg Filipponi for a Lot Line Adjustment (COAL 05-0268) to adjust the lot lines between two parcels 1.03 acres and 4.67. The adjustment will result two parcels of 1.03 and 4.67 acres. The project will not result in the creation of any additional parcels. The proposed project is within the Rural Suburban land use category and is located on the south side of Santa Clara Road at 9994 Santa Clara Road approximately 1 mile east of Atascadero. The site is in the Salinas River planning area.			
RECOMMENDED ACTION Approve Lot Line Adjustment COAL 05-0268 based on the findings listed in Exhibit A and the conditions listed in Exhibit B			
ENVIRONMENTAL DETERMINATION A Class 5 Categorical Exemption (ED05-462) was issued on May 24, 2006.			
LAND USE CATEGORY Residential Suburban	COMBINING DESIGNATION Flood Hazard	ASSESSOR PARCEL NUMBER 059-192-015 and 016	SUPERVISOR DISTRICT(S) 5
PLANNING AREA STANDARDS: None applicable			
LAND USE ORDINANCE STANDARDS: Section 22.22.070 – Subdivision design, residential suburban category			
EXISTING USES: Single-family residence			
SURROUNDING LAND USE CATEGORIES AND USES: North: Residential Suburban / single-family residences East: Residential Suburban / single-family residences South: Residential Suburban / single-family residences West: Residential Suburban / single-family residences			
ADDITIONAL INFORMATION MAY BE OBTAINED BY CONTACTING THE DEPARTMENT OF PLANNING & BUILDING AT: COUNTY GOVERNMENT CENTER ♦ SAN LUIS OBISPO ♦ CALIFORNIA 93408 ♦ (805) 781-5600 ♦ FAX: (805) 781-1242			

OTHER AGENCY / ADVISORY GROUP INVOLVEMENT: The project was referred to: Public Works, Environmental Health, Agricultural Commission, APCD, Cal Trans, RWQB, City of Atascadero	
TOPOGRAPHY: Gently rolling	VEGETATION: Blue oaks 10 percent density and non-native grasses
PROPOSED SERVICES: Water supply: On-site well Sewage Disposal: Individual septic system Fire Protection: Atascadero CDF	ACCEPTANCE DATE: March 7, 2006

ORDINANCE COMPLIANCE:

The applicant is proposing to adjust the lot lines between two legal parcels as follows:

EXISTING LOT SIZES (ACRES)	ADJUSTED PARCEL SIZES (ACRES)
1.03 acres	1.03 acres
4.67 acres	4.67 acres

Section 21.02.030 of the Real Property Division Ordinance states that a lot line adjustment shall not be approved or conditionally approved unless the new parcels resulting from the adjustment will maintain a position which is better than, or equal to, the existing situation relative to the county's zoning and building ordinances.

The adjustment will result in the reconfiguration of the two parcels to better configure the existing residential use. There is currently an encroachment issue and the proposed lot line adjustment will correct this problem and result in an equal exchange of property which is considered equal to the existing situation.

SB 497

As of January 1, 2002, lot line adjustments are limited to four or fewer existing adjoining parcels. In addition, the new parcels must comply not only with zoning and building regulations, but also with the general plan and any applicable coastal plan. The County's local ordinance allows a determination to be made that the proposed situation is equal to or better than the existing situation. Because the parcel sizes are below minimum parcel size as set through the General Plan and will remain so after the adjustment, staff has concluded that the adjustment is consistent with both state and local law

LEGAL LOT STATUS:

The two lots were legally created by a recorded map at a time when that was a legal method of creating lots.

FINDINGS - EXHIBIT A

- A. The proposed Lot Line Adjustment is consistent with the provisions of Section 21.02.030 of the Real Property Division Ordinance because the reconfiguration of the two parcels to configure the parcels to better the residential use. The current configuration has revealed that there is an encroachment issue and the proposed lot line adjustment will correct this problem and result in an equal exchange of property.
- B. The proposal will have no adverse effect on adjoining properties, roadways, public improvements, or utilities.
- C. Compliance with the attached conditions will bring the proposed adjustment into conformance with the Subdivision Map Act and Section 21.02.030 of the Real Property Division Ordinance.
- D. The project qualifies for a Categorical Exemption (Class 5) pursuant to CEQA Guidelines Section 15305 because the proposed project is a lot line adjustment on slopes of less than 20% which is a minor alteration in the condition of the land use.

CONDITIONS - EXHIBIT B

1. This adjustment may be effectuated by recordation of a parcel map or recordation of certificates of compliance. If a map is filed, it shall show:
 - a. All public utility easements.
 - b. All approved street names.
2. Any private easements described in the title report must be shown on the map, with recording data.
3. When the map is submitted for checking, or when the certificate of compliance is filed for review, provide a preliminary title report to the County Engineer or the Planning Director for review.
4. All conditions of approval herein specified are to be complied with prior to the recordation of the map or certificates of compliance which effectuate the adjustment. Recordation of a map is at the option of the applicant. However, if a map is not filed, recordation of a certificate of compliance is mandatory.
5. The map or certificates of compliance shall be filed with the County Recorder prior to transfer of the adjusted portions of the property or the conveyance of the new parcels.
6. In order to consummate the adjustment of the lot lines to the new configuration when there is multiple ownerships involved, it is required that the parties involved quitclaim their interest in one another new parcels. Any deeds of trust involving the parcels must also be adjusted by recording new trust deeds concurrently with the map or certificates of compliance.
7. If the lot line adjustment is finalized using certificates of compliance, prior to final approval the applicant shall prepay all current and delinquent real property taxes and assessments collected as real property taxes when due prior to final approval.
8. The lot line adjustment will expire two years (24 months) from the date of the approval, unless the map or certificates of compliance effectuating the adjustment is recorded first. Adjustments may be granted a single one year extension of time. The applicant must submit a written request with appropriate fees to the Planning Department prior to the expiration date.
9. All timeframes on completion of lot line adjustments are measured from the date the Review Authority approves the lot line adjustment map, not from any date of possible reconsideration action
10. The northeast setback on Parcel 1 (APN: 059-192-015) shall be brought into conformance (10% of lot width =13.2 feet, for sites greater than 1 acre or larger, a smaller setback may be granted using the adjustment provided in Section 22.54.020.F.) with the Land Use Ordinance prior to the recordation of the map or certificates of compliance which effectuate the adjustment.

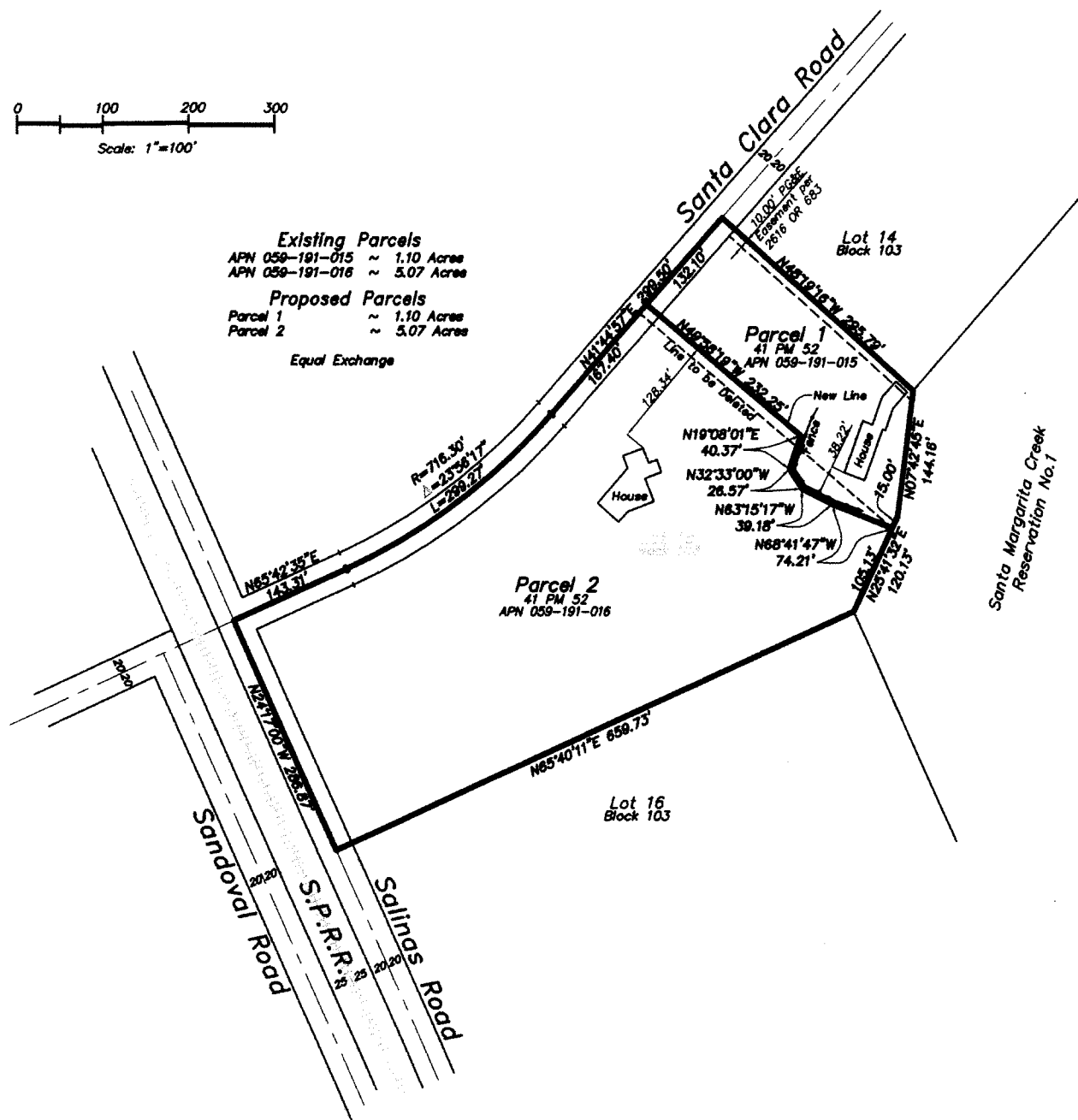
11. All flood hazard areas must be shown on map with recording data or on an exhibit attached to the certificates of compliance.

Staff report prepared by Holly Phipps and reviewed by Kami Griffin.

Statement of Explanation

**Tentative Lot Line Adjustment
Between Parcels 1 & 2 of Parcel Map
COAL 86-225 (41 PM 52)
County of San Luis Obispo
State of California
APN 059-192-015 & 016**

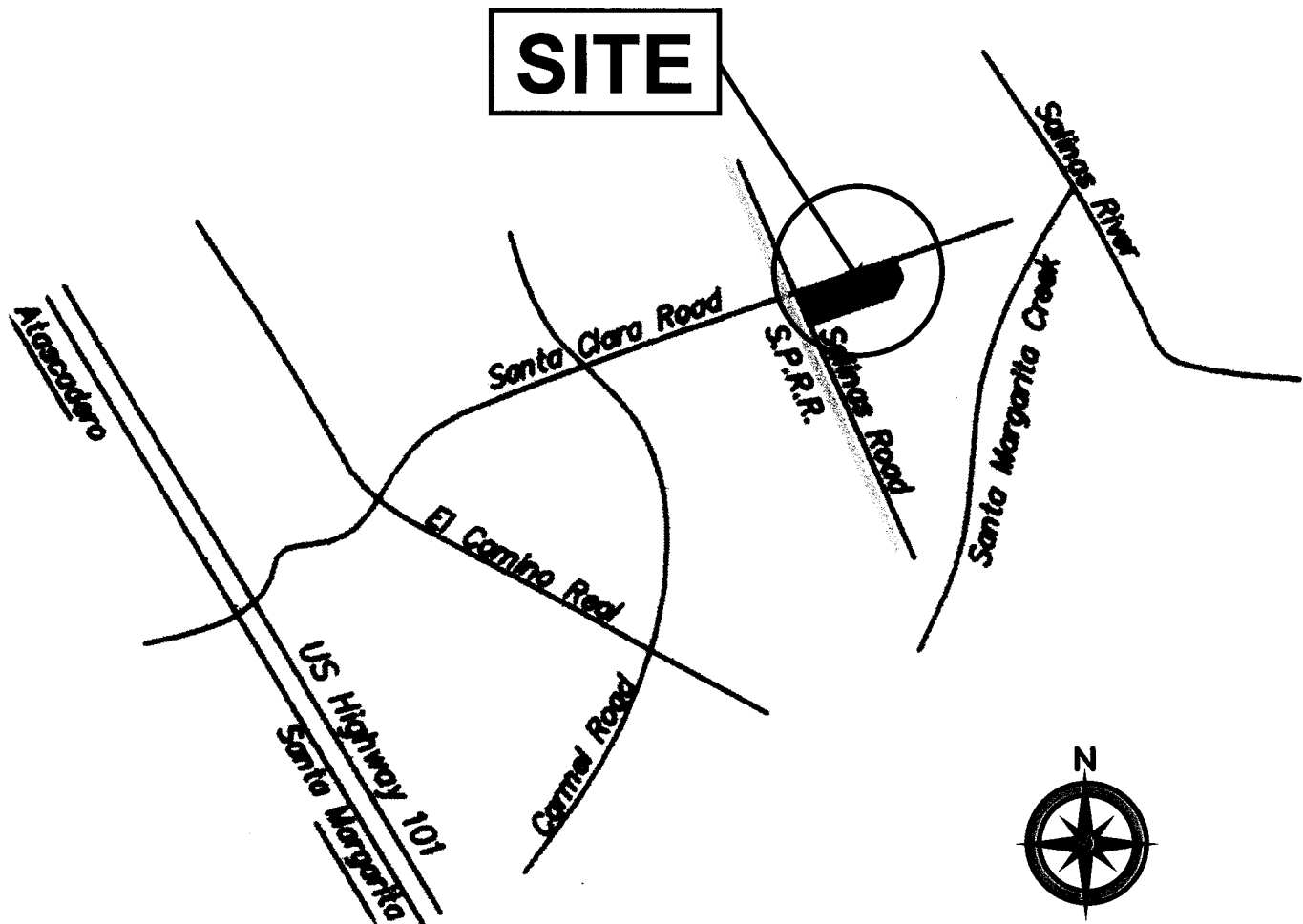
The purpose of this adjustment is to solve an encroachment of a newly installed fence.
The adjustment is such that an equal amount of area is exchanged.



Lot Line Adjustment COAL05-0268
Filipponi SUB2005-00158



Site Plan



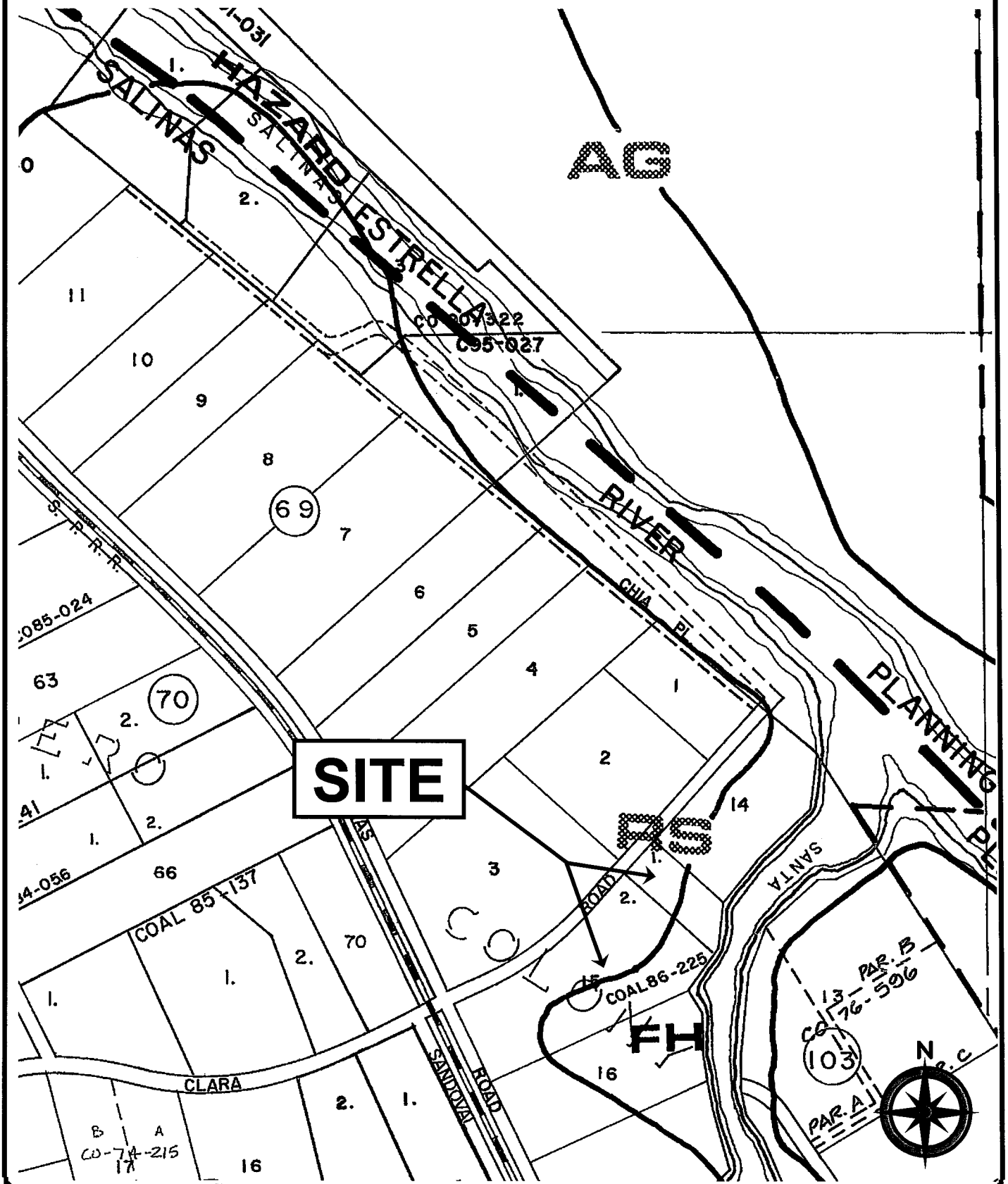
PROJECT

Lot Line Adjustment COAL05-0268
Filipponi SUB2005-00158



EXHIBIT

Atascadero Vicinity



PROJECT

Lot Line Adjustment COAL05-0268
Filipponi SUB2005-00158



EXHIBIT

Land Use Category Map



SAN LUIS OBISPO COUNTY
DEPARTMENT OF PLANNING AND BUILDING

VICTOR HOLANDA, AICP
DIRECTOR

THIS IS A NEW PROJECT REFERRAL

DATE: 1-25-06

TO: Ag.

FROM: ☐ - South County Team ☒ - North County Team ☐ - Coastal Team



PROJECT DESCRIPTION: File Number: SUB2005-00158 Applicant: Filipponi
COAL 05-0268. LLA between 2 parcels located off
Santa Clara Rd. in Atascadero. 5.7 acres total. APN: 059-192-015
Return this letter with your comments attached no later than: Feb. 10th, 2006 el 016

PART 1 - IS THE ATTACHED INFORMATION ADEQUATE TO COMPLETE YOUR REVIEW?

- ☒ YES (Please go on to PART II.)
☐ NO (Call me ASAP to discuss what else you need. We have only 30 days in which we must accept the project as complete or request additional information.)

PART II - ARE THERE SIGNIFICANT CONCERNS, PROBLEMS OR IMPACTS IN YOUR AREA OF REVIEW?

- ☐ YES (Please describe impacts, along with recommended mitigation measures to reduce the impacts to less-than-significant levels, and attach to this letter)
☒ NO (Please go on to PART III)

PART III - INDICATE YOUR RECOMMENDATION FOR FINAL ACTION.

Please attach any conditions of approval you recommend to be incorporated into the project's approval, or state reasons for recommending denial.

IF YOU HAVE "NO COMMENT," PLEASE SO INDICATE, OR CALL.

NO COMMENT

1/30/06
Date

LYNDIA AUCHINACHIE
Name

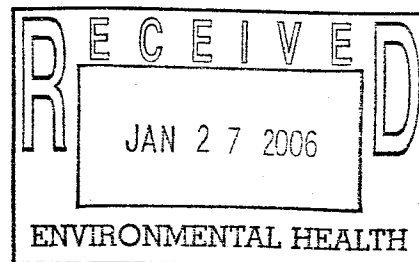
781-5914
Phone



SAN LUIS OBISPO COUNTY
DEPARTMENT OF PLANNING AND BUILDING

VICTOR HOLANDA, AICP
DIRECTOR

THIS IS A NEW PROJECT REFERRAL



DATE: 1-25-06

TO: Env. Health

FROM: ☐ - South County Team

☒ - North County Team

☐ - Coastal Team

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Both parcels are already developed, therefore we have
no concerns at this time. Applicant shall show existing wells
and septic systems on a full size map prior to final approval.

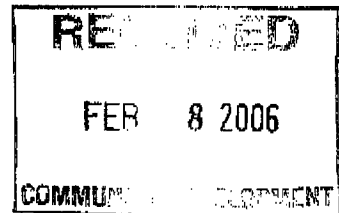
2/2/06
Date

Lauri Salo
Name

781-5551
Phone

SAN LUIS OBISPO COUNTY
DEPARTMENT OF PLANNING AND BUILDINGVICTOR HOLANDA, AICP
DIRECTOR

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DATE: 1-25-06

From: City of Atascadero

To:

FROM: ☐ - South County Team☒ - North County Team☐ - Coastal Team

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PART I - IS THE ATTACHED INFORMATION ADEQUATE TO COMPLETE YOUR REVIEW?

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IF YOU HAVE "NO COMMENT," PLEASE SO INDICATE, OR CALL.

No comment

2/10/06
DateMangason
Name461-5000, ext 3442
Phone



SAN LUIS OBISPO COUNTY
DEPARTMENT OF PLANNING AND BUILDING

VICTOR HOLANDA, AICP
DIRECTOR

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JUN 27 2006 HP

THIS IS A NEW PROJECT REFERRAL

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From TO: PW

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NO CONCERNS - RECOMMEND APPROVAL

5-23-2006
Date

SAM TAYLOR
Name

788-2177
Phone

